

BROADCAST EDUCATIONAL MEDIA COMMISSION
Television Station Operating Allocation Formula and Eligibility Criteria
2021 Revision as recommended by OETS

A. ELIGIBLE GRANTEE

For the purpose of this criteria statement, an eligible station shall be defined as an on-the-air television station operating in Ohio under a noncommercial educational license granted by the Federal Communications Commission (FCC), eligible for Federal support in compliance with all Corporation for Public Broadcasting (CPB) rules and which meets all the criteria set forth below.

All Broadcast Educational Media Commission (BEMC) eligible stations must be in compliance with all applicable State of Ohio laws and regulations including, but not limited to, equal employment opportunities, drug-free workplace, no finding for recovery, and the Americans With Disabilities Act of 1990.

B. CRITERIA

1. **LICENSING AND POWER:** The station must hold a license and be designated by the FCC as a noncommercial, educational television station. The station must be on-the-air and have transmitter power sufficient to provide primary signal coverage in the community of license.
2. **MANAGEMENT AND STAFF:**
 - a. Primary Stations
 - 1) The station should have a minimum of five full-time professional staff members employed on an annual (12 month) basis. At least three full-time staff members should be employed in managerial and/or programming positions.
 - 2) Full-time, professional, television station staff includes permanent personnel with demonstrated skill and expertise in management, programming, production, promotion, development, or engineering areas of a television station operation, paid no less than the minimum federal hourly wage plus regular health benefits, whose terms of employment require the exercise of full-time duties in one or more of these areas. The term "full-time" will be understood to be the number of hours that constitute the normal acceptable work week at each institution of station.
 - 3) Custodial and clerical staff, students whose student status is a condition of employment, interns and trainees, do not meet the definition of this criterion, nor do personnel teaching or holding academic duties in excess of the equivalent of one three-hour credit course per quarter or semester.
 - 4) Persons employed on a non-permanent basis, such as on a public service employment training grant, cannot be considered full-time professional television staff to meet this criterion.

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- 5) A primary station must have sufficient, professionally equipped on-air production facilities to allow for multi-channel digital broadcast of programming of high technical quality including the capability for simultaneous local production and origination. In addition, sufficient office space must be provided.
- 6) The station must broadcast on a schedule of seven days per week, fifty-two weeks per year, for a total of at least 3,000 hours or 58 hours a week. Per CPB rules, the eligible licensees must control at least 50% of the channel bandwidth. Any other use of bandwidth under the eligible station's control must operate under a separate FCC license and cannot virtually or in any other way identify itself with the eligible station.
- 7) A program schedule under the eligible licensee's control designed to further the principles of particular political and/or religious philosophies does not meet the definition of this criterion.
- 8) Stations licensed to political organizations do not meet the definition of this criterion.
- 9) Any television station which receives state subsidy payment through the BEMC is encouraged to, contingent upon the rights being available, share its programming with any other public television station which receives subsidy payments through the BEMC. The service from whom the programming is requested shall negotiate with the requesting television station, for payment to cover reasonable additional expenses incurred. BEMC will facilitate the exchange of programs through its statewide information distribution network.

b. Satellite Stations

- 1) A satellite station repeats the signal from a primary station but is one which is essential to achieve statewide service, even if it partially duplicates a primary station signal.
- 2) A satellite station must have sufficient reception and transmission equipment in order to retransmit the signal of the primary station in order to provide coverage for the area which it is designated to serve.
- 3) A satellite station is not required to have local production or origination capabilities.

c. Secondary Stations

- 1) A secondary station is one which substantially duplicates the signal of a primary station and/or a satellite station but is one which contributes to achieving statewide service.
- 2) A secondary station must have sufficient reception and transmission equipment in order to retransmit the signal of a primary station and/or satellite station.
- 3) A secondary station is not required to have local production or origination facilities.

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d. Translator Stations

- 1) Per the FCC definition, a translator receives a broadcast signal from either a primary station, satellite station, or a secondary station and rebroadcasts it on a different frequency, providing public television service to areas with severe issues in receiving the original signal.
- 2) A translator must have sufficient reception and transmission equipment in order to retransmit the signal of the facilities detailed in 1 above.
- 3) A translator does not have local production or origination capabilities.

C. SUBSIDY FORMULA

The measurement for determining statewide coverage for public television in Ohio is the FCC's predicted 41dBu digital service contour. Statewide coverage for public television has been realized. Stations who are currently receiving subsidy as primary and/or secondary stations will retain their designation. If an existing primary or satellite station, which is totally duplicative of the signal of another station, ceases operations, that station or its successor will no longer be considered a primary or satellite station. Applicant stations who are not currently receiving subsidy funds as a primary or satellite station will need to demonstrate coverage to unserved or underserved areas of the state to qualify as an eligible primary or satellite station.

1. Of the total television subsidy funds, 74.4 percent of the funds shall be equally divided between the primary stations. As of the date of issuance of this document, the following eight (8) stations are considered to be primary public television stations operating in Ohio:

WGTE-TV	WBGU-TV	WVIZ-TV	WNEO-TV
WOSU-TV	WOUB-TV	WPTD-TV	WCET-TV

2. Of the total television subsidy funds, 9.9 percent of the funds shall be equally divided between the satellite stations. As of the date of issuance of this document, the following station is considered to be a satellite station operating in Ohio:

WOUC-TV

3. Of the total television subsidy funds, 10 percent of the funds shall be equally divided between the secondary stations. As of the date of issuance of this document, the following two (2) stations are considered to be secondary stations:

WEAO-TV WPTO-TV

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4. Of the total television subsidy funds, 5.72 percent of the funds shall be equally divided between the translators. As of the date of the issuance of this document, the four (4) translators are:

W34FP-Eastlake (ideastream)	W13DP-Youngstown (PBSWR)
W32DS Maplewood (PMC/WPTD)	W18ES-Mansfield (WOSU)

D. APPEALS PROCESS

Any current or potential Commission grantee may appeal a designation to the Broadcast Educational Media Commission. The appeal must be in writing and contain the following information:

1. Formal letter appealing the designation;
2. An engineering study supporting the appeal;
3. Other information which the licensee deems appropriate in support of their appeal.

In the event the appellant is successful, the Broadcast Educational Media Commission will recalculate the existing subsidy and re-distribute of the existing subsidy will be made based upon the findings of the appeal.

E. OTHER CRITERIA

Disbursement of subsidy payments through the BEMC to public television stations is subject to the availability of funds.

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A. ELIGIBLE STATION

For the purpose of this criteria statement, an "eligible station" shall be defined as an on-the-air (AM or FM) station operating in Ohio under a noncommercial educational license granted by the Federal Communications Commission (FCC), eligible for Federal support in compliance with all Corporation for Public Broadcasting (CPB) rules and which meets all of the criteria set forth below.

All Broadcast Educational Media Commission (BEMC) eligible stations must be in compliance with all applicable State of Ohio laws and regulations including, but not limited to, equal employment opportunities, drug-free workplace, no finding for recovery, and the Americans With Disabilities Act of 1990.

B. CRITERIA

1. **LICENSING AND POWER:** The station must hold an active license and be designated by the FCC as a noncommercial, educational radio station. The station must have transmitter power sufficient to provide primary signal coverage in the community of license.

2. **MANAGEMENT AND STAFF:**

a. Primary Station

- 1) A minimum of five full-time professional radio station staff must be employed on an annual (12 month) basis. At least three full-time staff members should be employed in managerial and/or programming positions.
- 2) Full-time, professional, radio station staff includes permanent personnel with demonstrated skill and expertise in management, programming, production, promotion, development, or engineering areas of radio station operations, paid no less than the minimum federal hourly wage plus regular health benefits, whose terms of employment require exercise of full-time duties in one or more of these areas. The term "full-time" will be understood to be the number of hours that constitute the normal acceptable work week at each institution or station.
- 3) Custodial and clerical staff, students whose student status is a condition of employment, interns and trainees, do not meet the definition of this criterion, nor do personnel teaching or holding academic duties in excess of the equivalent of one three-hour credit course per quarter or semester.

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- 4) Persons employed on a non-permanent basis, such as on a public service employment training grant, cannot be considered full-time professional radio staff to meet this criterion.
- 5) A primary station must have sufficient, professionally equipped on-air production facilities to allow for broadcast of programming of high technical quality including the capability for simultaneous local production and origination. In addition, sufficient office space must be provided.
- 6) The station's minimum operational schedule must be 18 hours per day, 365 days per year.
- 7) A program schedule designed to further the principles of particular political and/or religious philosophies does not meet the definition of this criterion.
- 8) Stations licensed to political organizations do not meet the definition of this criterion.
- 9) Any radio station which receives state subsidy payments through BEMC is encouraged to, contingent upon the rights being available, share its programming with any other radio station which receives subsidy payments through BEMC. The radio station from whom the programming is requested shall negotiate with and receive from the requesting radio station payment to cover reasonable additional expense incurred. BEMC will facilitate the exchange of programs through its statewide information distribution network.

b. Secondary Station

- 1) A secondary station repeats the signal from a primary station and is one which may be necessary to achieve statewide first service, even if it partially duplicates a primary station signal.
- 2) A secondary station must have sufficient reception and transmission equipment in order to re-transmit the signal of the primary station in order to provide coverage for the area which it is designated to serve.
- 3) A secondary station is not required to have local production or origination capabilities.
- 4) By definition, a secondary station is not a primary station.

c. Translator

- 1) A translator is used to provide a public radio signal in areas which have severe reception problems from either a primary station or a secondary station.

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- 2) A translator must have sufficient reception and transmission equipment in order to retransmit the signal of the facilities detailed in 1 above.
- 3) A translator does not have local production or origination capabilities.

C. SUBSIDY FORMULA

In mapping non-commercial educational radio service to achieve statewide coverage, the official standard for coverage of FM stations will be 60dBu. While an AM station may be considered in achieving statewide coverage, the system is primarily FM based. Stations currently receiving subsidies as primary stations will retain their designation. With the exception of an AM station, if an existing primary station, which is totally duplicative of the signal of another eligible station, ceases operation, that station or its successor will no longer be considered a primary or secondary station. Applicant stations not currently receiving subsidy funds as a primary station will need to demonstrate coverage to unserved or underserved areas of the state to qualify as an eligible station.

1. Primary Stations: Of the total radio subsidy funds, 70.0 percent of the funds shall be equally divided between the primary stations. As of the date of issuance of this document, the following fifteen (15) stations are considered to be primary stations:

WCBE-FM	WCPN-FM	WCSU-FM	WDPR-FM	WYSO-FM
WYSU-FM	WGUC-FM	WGTE-FM	WKSU-FM	WOSU-FM
WOUB-AM	WOUB-FM	WVXU-FM	WOSA-FM	WCLV-FM

2. Secondary Stations: Of the total radio subsidy funds, 28.0 percent of the funds shall be equally divided between the secondary stations. As of the date of issuance of this document, the following eighteen (18) stations are considered to be secondary stations:

WDPG-FM	WGBE-FM	WGDE-FM	WGLE-FM	WKRW-FM	WKRJ-FM
WKSU-FM	WNRK-FM	WOSB-FM	WOSE-FM	WOSV-FM	WOSP-FM
WOUL-FM	WOUC-FM	WOUH-FM	WOUZ-FM	WMUB-FM	WOSX-FM

3. Translators: Of the total radio subsidy funds, 2.0 percent of the funds shall be equally divided between the translators. As of the date of issuance of this document, the five (5) translators are:

Newark Translator (WCBE-FM)	Ashtabula Translator (WYSU-FM)
Mansfield Translator (WKSU-FM)	Ashland Translator (WKSU-FM)
Coshocton Translator (WOSU-FM)	

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D. APPEALS PROCESS

Any current or potential Commission grantee may appeal a designation to BEMC. The appeal must be in writing and contain the following information:

1. Formal letter appealing the designation;
2. An engineering study supporting the appeal;
3. Other information which the licensee deems appropriate in support of their appeal.

In the event the appellant is successful, BEMC will recalculate the existing subsidy and re-distribution of the existing subsidy will be made based upon the findings of the appeal.

E. OTHER CRITERIA

Disbursement of subsidy payments through BEMC to radio stations is subject to the availability of funds.

Allocation Formula and Eligibility Criteria
Radio Reading Services Operating Funds
June 15, 2021

Operating Subsidy Criteria:

1. To qualify for full operating subsidy funding, a radio reading service must produce relevant local programming which is transmitted via one or more delivery systems (i.e., a non-commercial educational broadcast station, SCA, SAP), to one or more disabled populations as defined in the Limitations on Exclusive Rights: Reproduction for blind or other people with Disabilities Section of the Federal Copyright Law.
2. A radio reading service which transmits a signal but does not produce relevant local programming shall receive a partial subsidy.
3. A radio reading service which qualifies for full subsidy shall receive, at a minimum, subsidy funding in the amount of \$10,000.00. A radio reading service which qualifies for partial subsidy shall receive, at a minimum, subsidy funding in the amount of \$5,000.00.
4. A radio reading service which transmits programming on more than one transmitter for the purpose of extending its primary service area or to provide "first service" to a significant, previously unserved geographical area of the state, shall receive, at a minimum, subsidy funding in the amount of \$5,000.00 for each additional transmitter.
5. During its first and second year of operation, a radio reading service cannot receive subsidy payments in excess of 67% of its operating budget. During the third year of operation and thereafter, a service cannot receive more than 50% of its annual operating budget. Since radio reading services rely heavily on volunteers and since some of the services are contained in a larger rehabilitation or public broadcasting facility, the operating budget may consist of administrative and overhead expenses and/or reasonable in-kind donations necessary for the operation of the service (i.e., donated space and utilities, volunteer office and administrative personnel, volunteer board operators, donated SCA or SAP signal, etc.). This does not include volunteer readers.
6. Subject to paragraphs 3 and 4, funds shall be distributed proportionately to the radio reading services according to the following formula:
 - i. Each radio reading service will report the number of unrepeatd, original, locally produced weekly hours of programming for the prior fiscal year.

- ii. A Median Production Hours (MPH) will be determined by calculating the median production hours from all radio reading services qualified for full operating subsidy funding.
 - iii. Each qualified radio reading service will then be credited with a maximum of either the MPH or the actual production hours. This number will represent the Eligible Production Hours (EPH) for each radio reading service.
 - iv. The EPH for each radio reading service will be totaled to calculate the Total Eligible Production Hours (TEPH.)
 - v. For each qualified radio reading services, a distribution percentage will be calculated by dividing its EPH by the TEPH, multiplying by 100, and rounding to nearest tenth of a percentage place.
7. Any radio reading service which receives subsidy payments from Broadcast Educational Media Commission (BEMC) is encouraged, contingent upon the rights being available, to offer its programming to any other radio reading service which receives subsidy payments through BEMC.

The service from which the programming is requested may negotiate with and receive from the requesting service, payment to cover reasonable additional expenses incurred.

Expansion Subsidy Criteria:

Expansion projects are funded at the sole discretion of BEMC and are subject to the availability of funds.

Outreach: Any radio reading service, for the purpose of outreach, may receive expansion funds to identify and serve additional consumers. It must first submit a plan and budget which must be approved by BEMC. The following expansion projects are eligible for funding:

- 8. An existing radio reading service, for the purpose of providing service with signal coverage to a significant geographical area of the state unserved by another existing service, may request funds to add another transmitter. Grants of up to \$10,000.00 may be awarded for a maximum period of one year in this category.
- 9. An existing or proposed new radio reading service, for the purpose of providing service to unserved areas of the state, may request grant funds for the formation of a new service with signal coverage to a significant geographical area unserved by an existing radio reading service. There will be a ceiling of \$20,000.00 for any grant awarded in this category.

- i. Funding will be awarded in the form of matching grants. For every \$1.00 raised by the new service, state funds in the amount of \$2.00 may be awarded.
- ii. Grants will be awarded on a yearly basis for a maximum period of two years for development purposes.
- iii. The applicant must show evidence that it has the potential to qualify for full or partial operating subsidy (as defined above) following the 2-year startup phase.

Appeals Process:

Any eligible radio reading service may appeal a funding decision to the BEMC. The appeal must be submitted in writing.

In the event the appeal is successful, appropriate adjustments will be made and the BEMC will re-calculate the existing subsidy and a re-distribution of the existing subsidy will be made based upon the findings of the appeal.

Other Criteria:

All radio reading services that receive subsidy must submit required documentation to BEMC.

Disbursement of subsidy payments from BEMC to radio reading services is subject to the availability of funds.

All BEMC eligible radio reading services must be in compliance with all applicable State of Ohio laws and regulations, including, but not limited to, equal employment opportunities, drug-free workplace, no findings for recovery, and the Americans with Disabilities Act of 1990.